

JUDGE RAKOFF

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

3Com Corporation

SUMMONS IN A CIVIL ACTION

v.

Capital 4, Incorporated, F. Davis Dawson, and
Ish Villa-Lobos

CASE NUMBER

07 CIV 8707

TO: (Name and address of Defendant)

Capital 4, Incorporated
F. Davis Dawson
Ish Villa-Lobos
1010 N. San Jacinto
Houston, Texas 77002

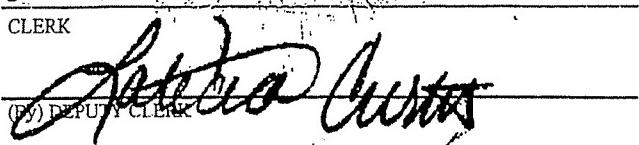
YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Daniel E. Rosenfeld
Douglas F. Broder
Kirkpatrick & Lockhart Preston Gates & Ellis LLP
State Street Financial Center
One Lincoln Street
Boston, Massachusetts 02111
(617) 261-3100
Fax: (617) 261-3175

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(By) DEPUTY CLERK

OCT 09 2007

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

| RETURN OF SERVICE | | |
|---|------------|----------------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE | |
| NAME OF SERVER (PRINT) | TITLE | |
| <i>AT FIDANIT ATTACHED</i> | | |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on _____ | Date _____ | <i>Signature of Server</i> _____ |
| <i>Address of Server</i> _____ | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3COM CORPORATION,

§

Plaintiff,

§

-against-

§

CAPITAL 4, INCORPORATED, F. DAVIS
DAWSON and ISH VILLA-LOBOS,
Defendants.

§
§
§
§

AFFIDAVIT OF SERVICE

CASE NUMBER: 07 CIV 8707

Came to hand on the 10th day of October, 2007, at 5:23 o'clock P.M.,
Executed at 1010 North San Jacinto, Houston, Texas 77002, within the
County of Harris at 1:00 o'clock P.M. on the 11th day of October, 2007,
by delivering to the within named

ISH VILLA-LOBOS,

in person a true copy of this

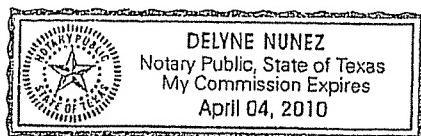
SUMMONS IN A CIVIL ACTION with COMPLAINT, CIVIL COVER SHEET, REPORT
ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT
OR TRADEMARK, NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF
PAPERS (DOUGLAS F. BRODER), NOTICE OF APPEARANCE AND REQUEST FOR
SERVICE OF PAPERS (DANIEL E. ROSENFIELD), LOCAL RULE 7.1 STATEMENT,
INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN and
INDIVIDUAL RULES OF PRACTICE, HON. JED S. RAKOFF attached,

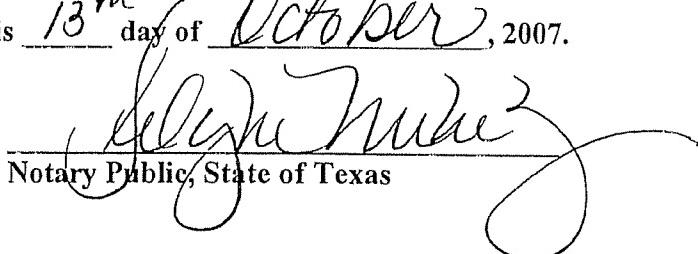
having first endorsed on same date of delivery.


R. C. RIVERA
Authorized Person #SCH1038
Harris County, Texas

On this day personally appeared R. C. RIVERA, known to me to be the person whose name is subscribed on the foregoing instrument and who has stated under oath: "My name is R. C. RIVERA. I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude."

Subscribed and sworn to before me on this 13th day of October, 2007.




Delyne Nunez
Notary Public, State of Texas